

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 31

June 23, 2009

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON JUNE 23, 2009

SUBJECT: HOME-GARAGING, TEMPORARY HOME-GARAGING AND DISPERSAL
PARKING - REVISED

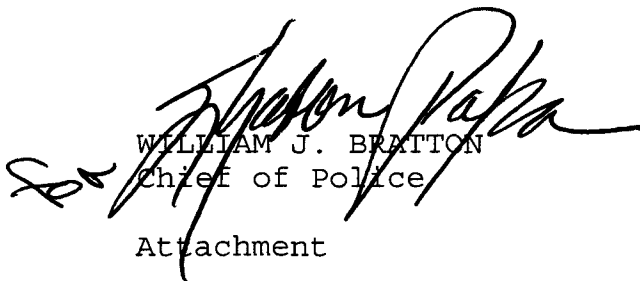
PURPOSE: During the City Controller's audit of the Department home-garaged vehicles, it was recommended that the Department update its policies and procedures regarding home-garaging of City vehicles. This Order, the result of that effort, clarifies and amends the Department's policy concerning Home-Garaging, Temporary Home-Garaging, and Dispersal Parking of Department Vehicles. This Order also revises the Special Parking Authorization, Form 11.37.00.

PROCEDURE: Attached are the Manual Sections regarding Home-Garaging of Department Vehicles that have been revised with the revisions indicated in italics. These revisions clarify the criteria for approving home-garaging authorities, update information regarding parking outside the County of Los Angeles, revise the use of Special Parking Authorizations (SPA) to comply with City guidelines, and require the completion of a Home-Garaging Vehicle Log by personnel who use a SPA. The Special Parking Authorization, Form 11.37.00, has also been revised to include insurance information and to document the total number of days the employee used a SPA in the last 12 consecutive months.

FORM AVAILABILITY: The Special Parking Authorization, Form 11.37.00, is available on the Department's Local Area Network. A copy of the form is also attached for immediate use and distribution.

AMENDMENTS: This Order amends sections 3/260, 3/260.01, 3/260.02, 3/260.04, 3/261, and 5/11.37.00 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Internal Audits and Inspections Division, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.


WILLIAM J. BRATTON
Chief of Police

Attachment

DISTRIBUTION "D"

260. HOME - GARAGING OF DEPARTMENT VEHICLE.

A Home-Garaging Vehicle Authority is a Police Commission authorization to drive one City vehicle off-hours and garage that vehicle away from the regular work location. For home-garaging purposes, a City vehicle is any motor vehicle that is under the direction and control of the Police Department and is not owned by a City employee. The "regular work location" is where the Department usually requires the home-garaging employee to report for work at the beginning of each tour duty. A Home-Garaging Vehicle Authority is assigned to a position or group of positions having the same specific duties and responsibilities within the same command. A vehicle authority is not assigned to an employee who holds a valid Home-Garaging Employee Authorization, Form 11.35.01, for that vehicle authority.

A Home-Garaging Vehicle Authority Application, Form 11.36.00, is used to apply for a Home-Garaging Vehicle Authority. Each new and renewal Home-Garaging Vehicle Authority Application, Form 11.36.00, shall briefly describe the specific duties that require the authority. Each new Home-Garaging Vehicle Authority Application shall state: (1) Whether or not the position is an increase in the table of organization (TO); (2) if not an increase in TO, where the position came from and why; (3) position responsibilities, including changed conditions, which now require a Home-Garaging Vehicle Authority; and (4) and how those responsibilities were carried out without such an authority.

Only those Home-Garaging Vehicle Authority Applications that meet one or more of the following criteria will be approved. Each new or renewal Home-Garaging Vehicle Authority Application shall include a justification based on the applicable criteria.

- Employees whose duties regularly subject them to emergency call-outs *and/or are on stand-by status* where time is a critical factor and direct response serves the public interest and/or employees who, because of their individual expertise, use of specialized equipment, or assignment of a specially equipped vehicle, are regularly required to respond, without prior notice, directly to a crime scene.
- *Captains and above and civilian equivalents.*
- Crime task force employees whose duties require direct reporting to locations other than their assigned headquarters.
- *The Chief of Police will have discretion in assigning home-garaging.*

Note: Captains and above and civilian equivalents are exempt from completing the Home-Garaging Vehicle Authority Application for Department vehicles to which they are personally assigned. For purposes of this Section, the term Captains and above include civilian equivalents.

A Home-Garaging Employee Authorization, Form 11.35.01, is a contract in which an employee and his/her commanding officer certify that the employee is assigned to a position for which the given Home-Garaging Vehicle Authority has been approved by the Police Commission. Each employee who uses a Home-Garaging Vehicle Authority shall hold a valid Home-Garaging Employee Authorization prior to such use. Any change in garaging location or other certified condition of use invalidates the concerned Home-Garaging Employee Authorization. A new Home-Garaging Employee Authorization shall be completed, approved by

the Home-Garaging Review Committee, and forwarded to Planning and Research Division prior to home-garaging after such change. All Home-Garaging Employee Authorizations for a given fiscal year become invalid on the first day of the next fiscal year.

The Board of Police Commissioners will grant approval of a specific employee or team of employees to regularly home garage a Department vehicle only when they are subject to a high frequency of emergency call-outs or inspections.

The use of all home-garaged vehicles, excluding transportation to and from work, will be restricted to the performance of official duties. Personal use of home-garaged vehicles is prohibited.

All home-garaged vehicles must be assigned in a manner that will provide the maximum use and availability of the vehicles and equipment.

When not in use, all home-garaged vehicles must be properly sheltered in a locked garage (*or other approved secure location*) and provided with adequate security to safeguard the vehicle and its contents.

Persons riding as passengers in home-garaged vehicles shall be limited to Department personnel, other City employees when it can be demonstrated that such riding is in the best interest of the City or the Department, and other persons accompanying the permittee in his/her capacity as a Department employee representing the Department; and the permittee must be available for immediate response. Only Department personnel shall be permitted to operate a home-garaged vehicle.

Each commanding officer shall maintain a list of positions under his/her immediate command for which the Board has authorized home-garaged vehicles.

260.01 HOME-GARAGING OUTSIDE THE COUNTY. Officers of the rank of lieutenant and below, *and civilian equivalents*, authorized to home-garage an emergency response vehicle, including motorcycles, shall home-garage their assigned vehicle within the County of Los Angeles or within 60 miles of the Los Angeles City limits when outside the County. *Employees* home-garaging an emergency response vehicle outside the County should refer to their current MOU to determine if they are required to pay an associated parking fee.

Note: The monthly parking fee *is set by the City of Los Angeles and managed by Commute Options and Parking Section.*

When a parking fee is to be assessed, the specified amount will be collected through automatic payroll dues deduction.

Officer's Responsibility. Officers currently authorized to home-garage an emergency response vehicle shall complete a new Home-Garaging Employee Authorization, Form 11.35.01, if the vehicle is or will be home-garaged outside the County, and complete a Payroll Deduction Card, City Form 66CS17, if a parking fee is applicable.

Note: The parking fee assessment applies only to officers who are regularly assigned emergency response vehicles. The fee assessment will not apply to temporary home-garaging.

When officers will no longer home-garage their emergency response vehicle outside the County of Los Angeles, they shall complete a new Home-Garaging Employee Authorization, Form 11.35.01, with a Cancellation of Employee Parking Payroll Deduction Card, City Form 66CS16, and submit them to their commanding officer. A Cancellation of Employee Parking Payroll Deduction Card shall also be completed when an employee is no longer authorized to home-garage a vehicle.

260.02 HOME-GARAGING EMPLOYEE'S RESPONSIBILITY.

Annual Home-Garaging Responsibilities. Each employee who is assigned to a position with a home-garaging vehicle authority shall:

- Complete and obtain his or her commanding officer's approval of a Home-Garaging Employee Authorization, Form 11.35.01, prior to home garaging under that vehicle authority each fiscal year;
- Complete and obtain approval of a new Home-Garaging Employee Authorization prior to home garaging under a new vehicle authority (usually necessary when an employee is temporarily or permanently reassigned from one home-garaging position to another); and,
- *Complete and obtain approval of a new Home-Garaging Employee Authorization prior to any home garaging at a new garaging location.*

Note: Each position approved for home garaging is assigned a Home-Garaging Vehicle Authority code number. Each employee who is assigned to such a position, even for a single tour of duty, must obtain approval of a Home-Garaging Employee Authorization **for that position** prior to home garaging. This Home-Garaging Employee Authorization shall bear the same code number as the position. *A Home-Garaging Employee Authorization may be used for more than one Home-Garaging Vehicle Authority with the approval of the Chair, Home-Garaging Review Committee.*

Monthly Home-Garaging Responsibilities. Each employee (Captains and above and civilian equivalents, Metropolitan Division officers and two-wheel motorcycle officers exempted) authorized to home garage a Department vehicle shall document on the Home-Garaging Vehicle Log, Form 11.35.00, all off-hour emergency call-outs, off-hour inspections, other off-hour uses, and on-duty enroute activities, as defined below. No other driving shall be logged. A single log shall be maintained for each Home-Garaging Vehicle Authority (one vehicle per authority), regardless of the number of drivers.

A "**driver**" is an employee who (1) holds a valid Home-Garaging Employee Authorization, Form 11.35.01, and (2) uses that authorization to drive any City vehicle off-hour and/or to garage that vehicle away from the regular work location.

"Off-hour" means (1) off-duty and (2) prior to the beginning of the employees next normal tour of duty.

An **"off-hour emergency call-out"** occurs when a home-garaging employee who is (1) off-duty; (2) not at a Department facility; (3) receives previously unknown facts or instructions; (4) based on those facts or instructions, drives immediately and directly to a designated location; and (5) because time is a critical factor in service of the public interest. At least 10 emergency call-outs per vehicle authority per calendar year are required for receiving and retaining a Home-Garaging Vehicle Authority except authorities for employees at or above the command level, two-wheel motorcycle officers, and Metropolitan Division officers.

An **"off-hour inspection"** occurs when (1) a home-garaging employee (2) at or above the supervisory level (3) initiates any necessary inspectional or supervisory activity.

An **"other off-hour use"** occurs when a home-garaging employee who is (1) off-duty (2) initiates necessary City business which is (3) neither an off-hour emergency call-out (4) nor an off-hour inspection. Commuting is not City business and shall not be documented on this log.

An **"on-duty enroute activity"** occurs when a home-garaging employee (1) conducts any City business (2) at the beginning or at the end of a normal tour of duty (3) at a location other than the regular work location.

Senior Home-Garaging Employee. The senior employee (Captains and above and civilian equivalents, Metropolitan Division officers and two-wheel motorcycle officers exempted) authorized to home garage under each vehicle authority shall submit a completed Home-Garaging Vehicle Log, Form 11.35.00, for that authority to his or her commanding officer no later than 10 days after the end of each month.

260.04 STAFF AND COMMAND OFFICERS RESPONSIBILITY.

Annual Home-Garaging Responsibility. Each staff and command officer shall:

- Review and approve all Home-Garaging Employee Authorizations, Form 11.35.01, submitted by all immediate subordinate staff and command officers and by all other employees within his or her command who are not also within a subordinate command;
- Forward each Home-Garaging Employee Authorization directly to Planning and Research Division immediately upon approval;
- Complete a Home-Garaging Vehicle Authority Application, Form 11.36.00, for each vehicle (staff and command officers and two-wheel motorcycles excepted), requested to be home garaged by employees within his or her command who are not also within a subordinate command;
- Complete a Home-Garaging Approval Summary, Form 11.36.01, (staff and command officers excepted), to summarize and convey for approval these Home-Garaging Vehicle Authority Applications and to apply directly for these authorities for two-wheel motorcycles;
- Review and approve all Home-Garaging Approval Summaries and Home-Garaging Vehicle Authority Applications received from subordinate officers; and,

- Forward all Home-Garaging Approval Summaries and Home-Garaging Vehicle Authority Applications through channels to the Chair, Home Garaging Review Committee for approval no later than February 1 prior to the fiscal year of the applications.

Note: A Home-Garaging Vehicle Authority Application and Home-Garaging Approval Summary for a new vehicle authority may be submitted whenever the need for the new authority is identified. A new authority is one not requested or not approved the previous fiscal year.

Monthly Home-Garaging Responsibility. Each staff and command officer shall:

- Review and approve all Home-Garaging Vehicle Logs, Form 11.35.00, for vehicle authorities within his or her command which are not also within a subordinate command; and,
- Ensure that Home-Garaging Vehicle Logs are submitted to Planning and Research Division at the end of each month.

Commanding Officer's Responsibility. The commanding officer of each employee who is authorized to home-garage an emergency response vehicle shall:

- Review all current and new Home-Garaging Employee Authorization(s), Form 11.35.01, in his/her command and determine which officers will home-garage vehicles outside the County;
- Provide a Payroll Deduction Card, City Form 66CS17, to officers if a parking fee is to be assessed;
- Collect the completed Payroll Deduction Cards, City Form 66CS17, and forward them to the Department's Home-Garaging Coordinator, PRD, in conjunction with the completed Home-Garaging Employee Authorization, Form 11.35.01;
- Maintain a list of all officers who will be home-garaging emergency response vehicles outside the County;
- Forward all the received Cancellation of Employee Parking Payroll Deduction Card(s), City Form 66CS16, to the Department Home-Garaging Coordinator; and,
- Maintain a copy of all current completed Home-Garaging Employee Authorization(s), Form 11.35.01.

Department Home-Garaging Coordinator's Responsibility. The Commanding Officer, PRD, is designated as the Department's Home-Garaging Coordinator. The Department's Home-Garaging Coordinator shall:

- Collect all Home-Garaging Employee Authorization (s), Form 11.35.01, and Payroll Deduction Cards, City Form 66CS17, from commanding officers;
- Forward all obtained Payroll Deduction Cards, City Form 66CS17, and Cancellation of Employee Parking Deduction Cards, City Form 66CS16, to City Employee Benefits Division, Commute Options and Parking Section;

- Maintain a file of Home-Garaging Employee Authorizations, Form 11.35.01, for emergency response vehicles that are home-garaged outside the County of Los Angeles, within 60 miles from the City limits; and,
- Provide a list of all officers who will be home-garaging emergency response vehicles outside the County of Los Angeles, within 60 miles from the City limits, to the City Employee Benefits Division, Commute Options and Parking Section, on a *semi-annual* basis per fiscal year.

260.06 CHAIR, HOME GARAGING REVIEW COMMITTEE RESPONSIBILITY. The Chair, Home Garaging Review Committee, shall cause all Home-Garaging Approval Summaries, Form 11.36.01, and Home-Garaging Vehicle Authority Applications, Form 11.36.00, to be reviewed and, if approved, forwarded to the Commanding Officer, Planning and Research Division, no later than March 1 prior to the fiscal year of the applications.

260.08 PLANNING AND RESEARCH DIVISION, COMMANDING OFFICER'S RESPONSIBILITY. The Commanding Officer, Planning and Research Division, shall:

- Cause all Home-Garaging Approval Summaries, Form 11.36.01, and Home-Garaging Vehicle Authority Applications, Form 11.36.00, to be reviewed for accuracy and completeness and presented to the Chairperson, Home-Garaging Committee, no later than May 1 prior to the fiscal year of the applications; and,
- Notify all staff and command officers of the approval or disapproval of Home-Garaging Vehicle Authorities by the Board of Police Commissioners.

260.10 LIABILITY INSURANCE REQUIREMENTS. Each Police Department employee who is authorized to home garage a City motor vehicle shall be named insured on a standard automobile liability insurance policy for the employee's personally-owned motor vehicle or, alternatively, shall be a named insured on a non-owned automobile insurance policy. This insurance policy shall provide at least the minimum coverage prescribed by the City.

Exception: Officers assigned to two-wheel motorcycle duty are exempted from liability insurance requirements.

Note: Current insurance requirements are:

- Bodily injury Liability-\$25,000 each injury/\$50,000 each accident; and,
- Property Damage Liability-\$5,000.

261. DISPERSAL PARKING AND TEMPORARY HOME-GARAGING. A Department employee may dispersal park or temporarily home garage a Department vehicle away from the employee's regular work location only when such parking is an operational necessity. Employees shall obtain prior written approval to dispersal park or temporarily home garage a vehicle in accordance with the procedures outlined in this section.

*No single dispersal-parking period shall exceed **seven** consecutive calendar days. Any continuation of the authorization will require a new request. No employee may dispersal park or temporary home garage in an excess of 60 days, within any 12 consecutive months.*

Note: *Employees who utilize a Special Parking Authorization due to standby status or being subject to emergency call outs shall submit a Home-Garaging Vehicle Log, Form 11.35.00, to document usage. A copy of the Special Parking Authorization Form shall be attached to the vehicle log. In the upper left hand corner of the Home-Garaging Vehicle Log, Form 11.35.00, is a box "Vehicle Authority Code," the letters "SPA" will be written to identify the log as a Special Parking Authorization attachment. The log will not be required for emergency situations.*

Definitions.

Dispersal Parking. Dispersal parking is the authorized temporary off-duty parking of a Department vehicle at a Los Angeles Police Department facility away from the regular work location.

Dispersal parking refers exclusively to a named employee authorized to park at a specifically designated location for a specified period of time.

Dispersal parking is not warranted by virtue of rank, position, use of a particular vehicle, association with an authorized employee, or any other condition or circumstances apart from the operational considerations providing the basis for the authorization. Any employee qualified to drive a Department vehicle may either request such authorization on his or her own initiative or be required to do so by his or her immediate supervisor.

Authorization for dispersal parking shall be requested by completing a Special Parking Authorization, Form 11.37.00. Any change in dispersal-parking location or other certified condition of use invalidates the Special Parking Authorization. In such cases, a new Special Parking Authorization shall be completed and approved prior to further dispersal parking.

Temporary Home-Garaging. Temporary home garaging is the authorized temporary off-duty parking of a Department vehicle at a location other than a Los Angeles Police Department facility. *Temporary home garaging is authorized only at locations within Los Angeles County or within 60 miles of the Los Angeles City Limits when outside the County.*

Note: Guidelines for who may request approval to temporarily home garage, how to request approval, and validity of the Special Parking Authorization are the same as for dispersal parking.

Parker Center personnel may use Motor Transport Division's motor pool vehicles for temporary home garaging with the appropriate authorization. Use of motor pool vehicles will be monitored by Motor Transport Division to ensure that Special Parking Authorization forms are completed on all vehicles checked out overnight.

Department vehicle. A Department vehicle is any motor vehicle that is under the direction and control of the Police Department and is not owned by a Department employee. This includes budgeted, hold-harmless, seized, Rule 11, leased, donated, and court-awarded cars, vans, pick-up trucks, and utility vehicles.

Regular work location. A regular work location is where the Department usually requires the employee to report for work at the beginning of each tour of duty.

Department facility. A Department facility is any one of the 21 geographic Area Community Police stations, Parker Center, the Police Academy, or any Department-controlled parking area.

Employee's Responsibility. Each employee requesting to dispersal park or temporarily home garage a Department vehicle shall:

- Complete the "Requesting Employee" portion of the Special Parking Authorization, Form 11.37.00;
- Forward this form to his or her immediate supervisor; and,
- Begin dispersal parking or temporarily home garaging only after confirming that the Authorization has been approved in writing by his or her commanding officer.

Exception: An employee may temporarily dispersal park or temporarily home garage a vehicle with the approval of his or her immediate supervisor when the employee's commanding officer is not available and the parking is of immediate necessity. This temporary approval shall be documented in the "Justification" box of the Special Parking Authorization by the approving supervisor prior to any such parking.

Immediate Supervisor's Responsibility. The immediate supervisor of an employee who submits a Special Parking Authorization shall:

- Determine whether the proposed dispersal parking or temporary home garaging is an operational necessity;
- Complete the "Immediate Supervisor" box and forward the form without delay through channels to the requesting employee's commanding officer;
- Permit dispersal parking or temporary home garaging to begin only after confirming that the Authorization has been approved in writing by the requesting employee's commanding officer;

Exception: A supervisor may approve temporary dispersal parking or temporary home garaging when the employee's commanding officer is not available and the parking is of immediate necessity. This temporary approval shall be documented in the "Justification" box of the Special Parking Authorization by the approving supervisor prior to any such parking.

- *Verify that the employee submits a Home-Garaging Vehicle Log, Form 11.35.00, with a copy of the Special Parking Authorization, Form 11.37.00, after the allotted time, when applicable; and,*
- Ensure the Sign Out Sheet is properly completed and filed.

Commanding Officer's Responsibility. The commanding officer of an employee who submits a Special Parking Authorization shall:

- Certify that the proposed dispersal parking or temporary home garaging is an operational necessity;
- Approve or disapprove the Authorization;
- Without delay, forward the original of each approved Authorization to the next higher level of command or to the concerned bureau, whichever is higher; and,
- File a copy of the Authorization, whether or not approved.

Bureau Commanding Officer's Responsibility. In the following description of responsibilities, the term "bureau" means the command one level above that to which the employee is assigned or the employee's bureau, whichever is higher. Each bureau commanding officer shall:

- Review and sign each Special Parking Authorization;
- All bureau commanding officers shall forward copies of the Special Parking Authorization (SPA), Form 11.37.00, and Home-Garaging Vehicle Authority Application (HGVA), Form 11.36.00, to the Commanding Officer, Planning and Research Division, at Mail Stop 400; and,
- File the original.

Planning and Research Division's Responsibility. Planning and Research Division (PRD) is responsible for monitoring and tracking of all dispersal parking and temporary home-garaging of Department vehicles.